

#567
1 BILL NO. G-94- 09-13

2 GENERAL ORDINANCE NO. G- 22-94.

3 AN ORDINANCE amending the Thoroughfare
4 Plan of the City Comprehensive ("Master")
5 Plan by vacating a portion of an alley thereof.

6 WHEREAS, a petition to vacate a portion of an alley
7 within the City of Fort Wayne (as more specifically described
8 below) was duly filed with the City Planning Commission; and

9 WHEREAS, said Commission duly held a public hearing
10 thereon; and

11 WHEREAS, said Commission has duly forwarded its
12 recommendation to this body approving said petition, and this
13 body having held a public hearing on said vacation as provided
14 in I.C. 36-7-3-12; and

15 WHEREAS, this body concurs in the recommendation of the
16 City Planning Commission.

17 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
18 THE CITY OF FORT WAYNE, INDIANA:

19 SECTION 1. That the petition filed herein to vacate a
20 portion of an alley within the City of Fort Wayne, more
21 specifically described as follows, to-wit:

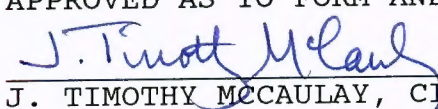
22 The south six (6) inches of the 12 foot alley north
23 of Lots #152, 153 and 154 in Vordermarks' Addition,
24 according to the plat thereof as indicated in deed
25 record 99, pages 450-451.

26 and which vacating amends the Thoroughfare Plan of the City
27 Comprehensive ("Master") Plan and is hereby approved in all
28 respects.

29 SECTION 2. That this Ordinance shall be in full force
30 and effect from and after its passage, any and all necessary
31 approval by the Mayor.

32 
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:


J. TIMOTHY MCCAULAY, CITY ATTORNEY

#564

1
2 ** Public hearing to be held on Tuesday,
3 the 15th day of November, 1994,
4 in the Council Chambers.

5
6 Sandra E. Kennedy
Sandra E. Kennedy, City Clerk

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Read the first time in full and on motion by Perme,
and duly adopted, read the second time by title and referred to the
Committee on Regulations (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne, Indiana, on 10-25-94, the 19 day of October
10-25-94 M., E.S.T.

DATED: 10-25-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Dir Dante,
and duly adopted, placed on its passage. PASSED LOST
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES				
BRADBURY	✓			
EDMONDS				✓
GIAQUINTA	✓			
HENRY				✓
LONG	✓			
LUNSEY	✓			
RAVINE	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 11-15-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 9-22-94
on the 15th day of November, 19 94

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Rebecca Prairie
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 16th day of November, 19 94,
at the hour of 11:00 o'clock 11 M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 17th day of November,
19 94, at the hour of 12:20 o'clock 1 M., E.S.T.

11/16/94
PAUL HELMKE, MAYOR

RECEIPT

GENERAL FORM NO. 352

No 14938

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IN., 8/17 1994

RECEIVED FROM Advanced Clothing Systems \$ 150.00

THE SUM OF One hundred & fifty 00/100 DOLLARS

ON ACCOUNT OF 1352 Alley Vacation
Park

PAID BY: CASH ☐ CHECK ☒ M.O. ☐

AUTHORIZED SIGNATURE



Vacation Petition

Community & Economic Development / 1 Main Street Rm. 830
Fort Wayne, IN 46802 / (219) 427-1140

I/We do hereby petition to vacate the following:

#567

☐ Plat or portion of plat

☐ Easement

☒ Public Right-of-Way (street or alley)

More particularly described as follows:

The south six (6) inches of the 12 foot alley north of Lots #152, 153 and 154
in Vordermarks' Addition, according to the plat thereof as indicated in deed
record 99, pages 450-451. (See attached for description of said alley.)

(Please attach a legal description of the property)

The reasons for the proposed vacation are as follows:

A metal building addition encroaches six (6) inches into said alley.

Commercial financing through Community Development Corporation cannot be
obtained due to the encroachment. The encroachment is the result of an
addition to an existing building in approximately 1977.

(If additional space is needed please attach a separate page)

Property owner(s) name(s): ADVANCED CUTTING SYSTEMS, INC.

Street Address: 2301 Pennsylvania Street

City: Fort Wayne State: IN Zip: 46803 Phone: 423-3394

(If additional space is needed please attach a separate page)

Applicants Name (if different from above): _____

Street Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the Fort Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City Plan Commission as those provisions, and policies relate to the handling and disposition of this petition. I/We also certify that this information is true and accurate to the best of my/our knowledge.

Signature

D. Timothy Lawson
Secretary/Treasurer

ADVANCED CUTTING SYSTEMS, INC. 8/16/94

Printed Name

Date

2301 Pennsylvania Street

Address

Fort Wayne, IN 46803

City/state/zip

Signature

Printed Name

Date

Address

City/state/zip

Agents Name (Please print legibly):

D. TIMOTHY LAWSON

Street Address:

9915 SPUR CREEK CT

City:

FT. WAYNE

State:

IN

Zip:

46825

Phone:

471-5281

NOTICE:

- Legal description is to be of the area to be vacated and must be complete and correct. If necessary a licensed surveyor's legal description may be required.
- All adjacent property owner's signatures must accompany this application.
- Applicant is hereby informed that in the case of a utility being located in a public way or easement, the applicants may be required to bear the cost of relocation, or of providing a replacement easement or easements as needed.
- Applicant is also hereby informed that the vacation of a subdivision plat does not necessarily vacate any dedicated right-of-way(s) or utility easement(s), nor any restrictive covenants that may apply.

For Office Use Only:

Receipt #: 14938

Date Filed: 8-17-94

Map #:

Reference #:

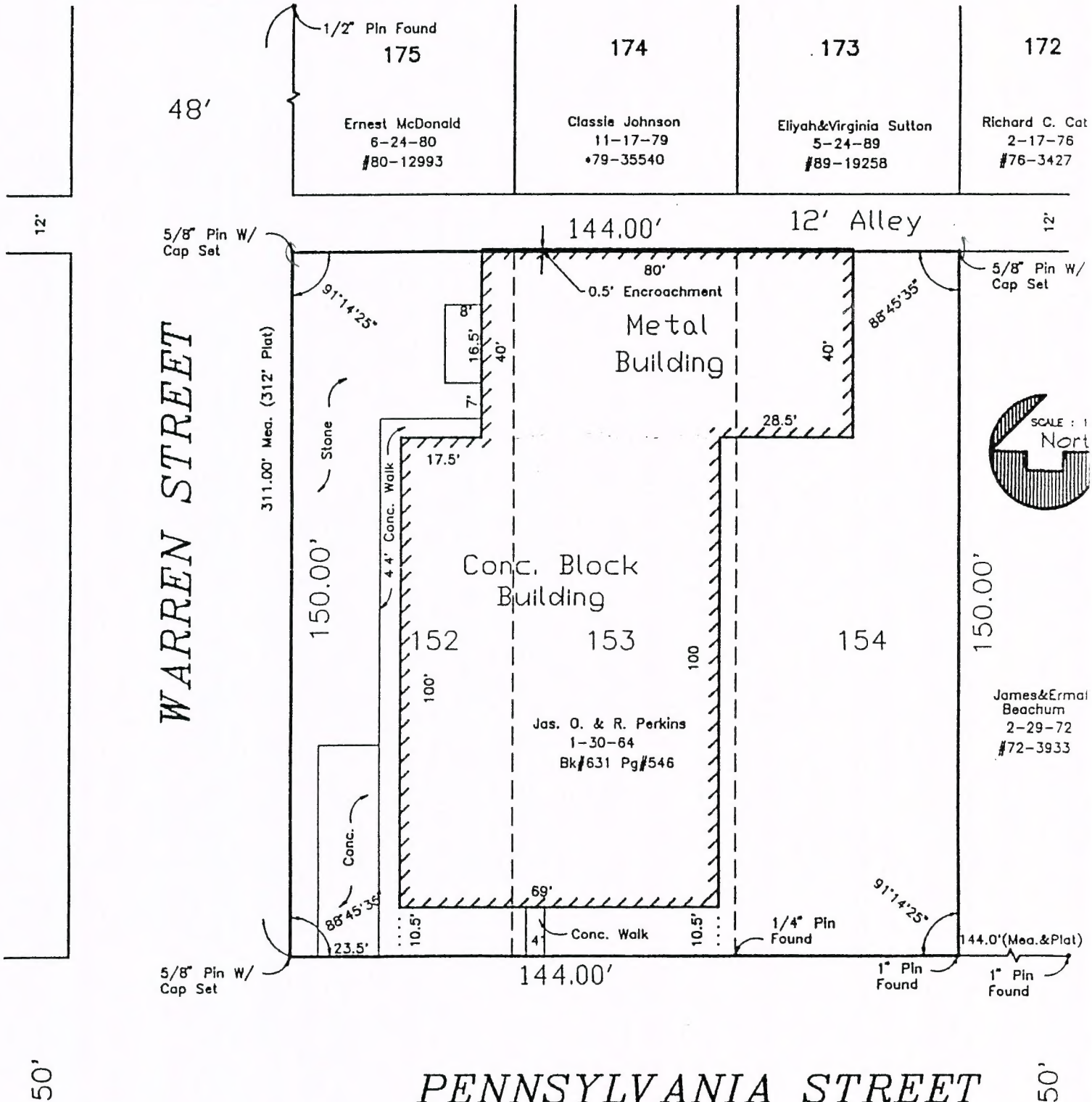
Attachment to Vacation Petition for Advanced Cutting Systems, Inc.

Description of entire alley:

An alley going east from the east right of way line of Warren Street to the west right of way line of Summer Street, south of lots 170-175 of Vordermarks' Addition.

The undersigned Land Surveyor, registered as provided by an act of General Assembly of the State of Indiana, hereby certifies that he has made a resurvey of the real estate depicted and described below. Measurements were made in feet and decimals and the corners were perpetuated as shown, in conformity with the plat and deed record thereof in the office of the Recorder of Allen County, Indiana. No encroachment existed except as noted. The description of the real estate is as follows, to wit: Lots #152, 153, & 154 in

Vordermarks' Addition to the City of Fort Wayne, Indiana. The surveyed property is within Zone X as defined by the Flood Insurance Rate Map for the City of Fort Wayne, Indiana, Community No. 180003c0280d, effective date September 28, 1990, as prepared by the Federal Emergency Management Agency. The accuracy of any flood hazard statement shown on this certificate is subject to map scale uncertainty and any uncertainty in location of elevation on the referenced flood insurance map.



Job No. 9331

For Karen Spake

IN WITNESS WHEREOF, I hereunto place my hand and seal this 27th day of August, 1993

Keith E. Smith

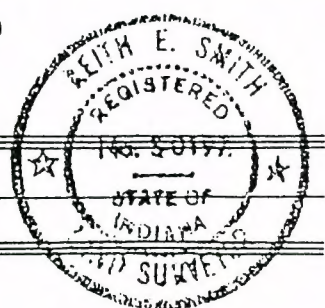


Exhibit A

RESOLUTION

WHEREAS, ADVANCED CUTTING SYSTEMS INC has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated right-of-way situated in Fort Wayne, Allen County, to-wit:

The south six (6) inches of the 12 foot alley north of Lots #152, 153 and 154 in Vordermarks' Addition, according to the plat thereof as indicated in deed record 99, pages 450-451.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-3-12.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on September 19, 1994 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated right-of-way.

WHEREAS, said vacation of dedicated right-of-way has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated right-of-way hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated right-of-way hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated right-of-way or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated right-of-way in Allen County, Indiana.

STATE OF INDIANA))
) SS:
COUNTY OF ALLEN)

I, Carol Kettler Sharp, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held, September 26, 1994 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 28th DAY OF September 1994

FORT WAYNE CITY, PLAN COMMISSION

Carol Kettler Sharp
Secretary

RESOLUTION 81-156-7

WHEREAS, ADVANCED CUTTING SYSTEMS INC has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated right-of-way situated in Fort Wayne, Allen County, to-wit:

The south six (6) inches of the 12 foot alley north of Lots #152, 153 and 154 in Vordermarks' Addition, according to the plat thereof as indicated in deed record 99, pages 450-451.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-3-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated right-of-way has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated right-of-way hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated right-of-way hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated right-of-way or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN)

I, LINDA BUSKIRK, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held WED. OCT. 5 1994 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 5 DAY OF OCTOBER 1994

FORT WAYNE BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Director of Public Works

C. James Owen
C. James Owen
Member, Board of Public Works

Division of Community Development & Planning

FACT SHEET

G-94-09-13

BILL NUMBER

BRIEF TITLE

APPROVAL DEADLINE

REASON

Alley Vacation Ordinance

DETAILS

Specific Location and/or Address

The south 6 inches of the East/West alley north of Pennsylvania Street and east of Warren Street.

Reason for Project

To clear an encroachment.

Discussion (Including relationship to other Council actions)

19 September 1994 - Public Hearing

Timothy Lawson, 9915 Spur Creek Ct, appeared before the Commission. Mr. Lawson stated that they are asking the city to vacate the south 6 inches of the alley that runs south of their property. He stated that the reason for the request is that part of their financing package, that was started almost a year ago with the CDC, was contingent upon getting this encroachment taken care of. He stated that when they started financing they were unaware of the encroachment. He stated that NBD Bank financed the property in two sections, one-half of the mortgage value of the property and another half of the mortgage value of the property that the CDC was supposed to assume. He stated that the CDC's approval on financing is contingent upon them obtaining this vacation.

Dave Ross asked if they had tried to obtain an encroachment agreement from the Board of Works.

Mr. Lawson stated that they have already applied for and received an encroachment

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/ Proponents

Applicant(s)

Advanced Cutting Systems, Inc

City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff Recommendation

☒ For

☐ Against

Reason Against

Board or Commission Recommendation

By

☒ For

☐ Against

☐ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

CITY COUNCIL ACTIONS (For Council use only)

☐ Pass

☐ Other

☐ Pass (as
amended)

☐ Hold

☐ Council Sub.

☐ Do not pass

DETAILS

agreement from the Board of Works. He stated that as an addendum to that agreement they stated that at any time they could come back and rescind that encroachment, which CDC did not find acceptable.

Tom Obergfell, with NBD bank appeared before the Commission. Mr. Obergfell stated that he was the loan officer on this account. He stated that the initial deal basically fell apart when the encroachment was omitted from the survey report. He stated that it was on the drawing, but not in the report, which is why they closed their end of the deal. He stated that CDC's attorney Mike Mustard saw the encroachment and that is where they hit the roadblock. He stated that they felt it was a good thing for the bank and the city.

There was no one else present who spoke in favor or in opposition to the proposed vacation.

26 September 1994 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation, contingent upon the petitioner providing utility easements or relocations as may be necessary.

Of the seven (7) members present, six (6) voted in favor of the motion, the Chair did not vote. Motion Carried.

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Members Present: Linda Buskirk, Ernest Evans, James Hoch, Dave Ross, Carol Kettler Sharp, Mel Smith, Vicky VerPlanck

Members Absent: Mark GiaQuinta, Thomas Quirk

Project Start

Date

17 August 1994

Projected Completion or Occupancy

Date

12 October 1994

Fact Sheet Prepared by

Date

12 October 1994

Patricia Biancaniello

Reviewed by

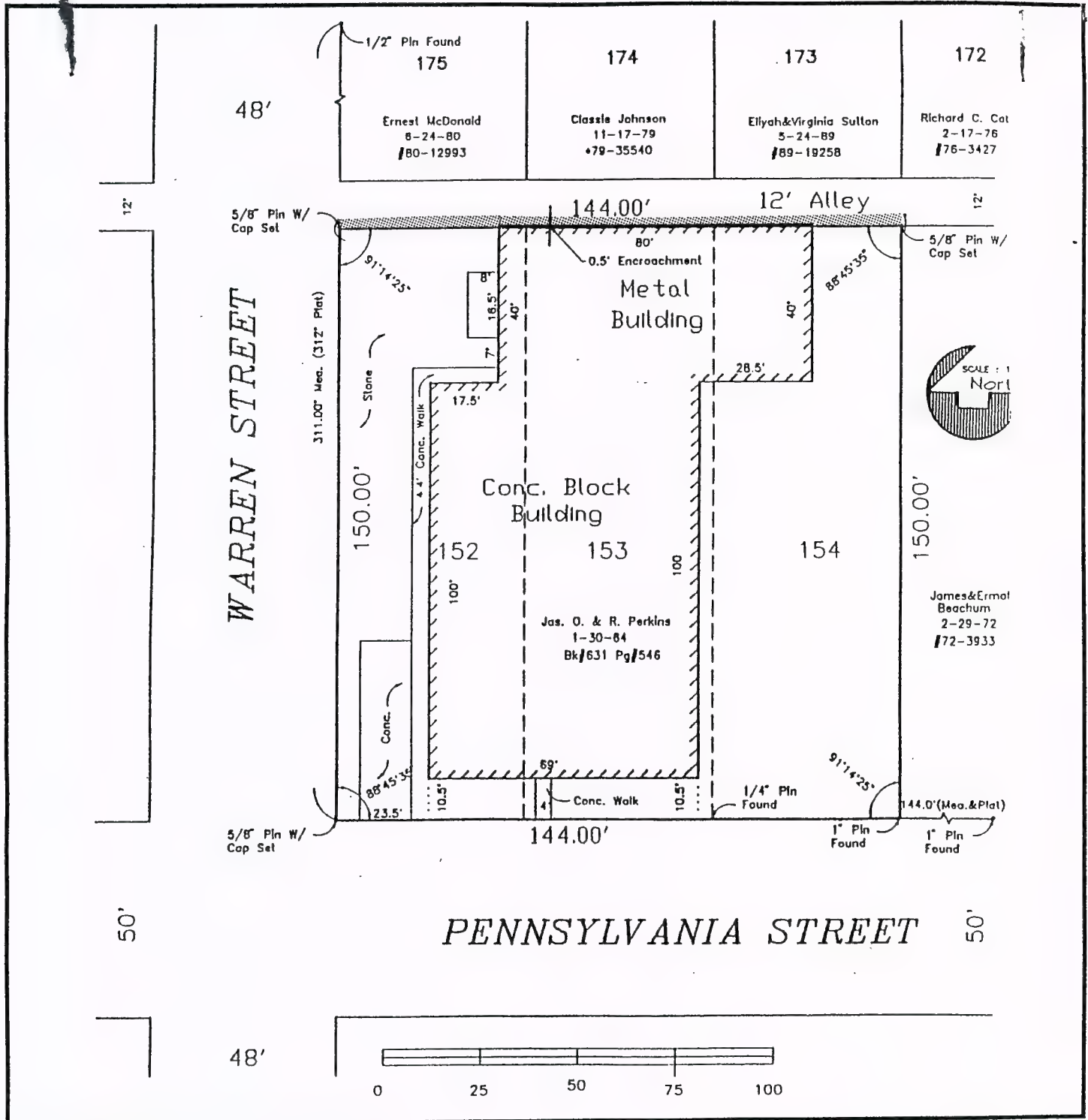
Date


Reference or Case Number

VACATION PETITION

AREA MAP

CASE NO. #567



COUNCILMANIC DISTRICT NO. 1

Map No. P-2
LW 8-22-94

R1	One-Family	B1	Limited Business	M1	Light Industrial
R2	Two-Family	B2	Planned Shopping Center	M2	General Industrial
R3	Multi-Family	B3	General Business	M3	Heavy Industrial
RA/RB	Residential	B4	Roadside Business	MHP	Mobile Home Park
PUD	Planned Unit Dev.	POD	Professional Office District		

ORIGINAL

ORIGINAL

#567

DIGEST SHEET

TITLE OF ORDINANCE Alley Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE The south 6 inches of a 12 foot wide alley north of Lots 152, 153 and 154 in Vordermark's Addition.

EFFECT OF PASSAGE Property is currently dedicated public right-of-way. Property will be vacated and revert to the ownership of the adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain dedicated public right-of-way.

9-94-09-13

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE) _____

BILL NO. G-94-09-13

Nov 15
[Signature]

REPORT OF THE COMMITTEE ON
REGULATIONS
REBECCA J. RAVINE - MARK E. GIAQUINTA - CO-CHAIR
DONALD J. SCHMIDT
JANET G. BRADURY

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the Thoroughfare
Plan of the City Comprehensive ("Master") Plan by vacating a portion
of an alley thereof

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Janet Bradbury
Jan Talgier
Alfred Davis
[Signature]
Mark E. Giaquinta

DATED: 11-15-94.

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

October 24, 1994

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of October 27, 1994,
in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-94-09-13
Alley Vacation

Please send us 3 copies of the Publisher's Affidavit from both
newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

October 24, 1994

D Timothy Lawson
9915 Spur Creek Ct
Fort Wayne, IN 46825

NOTICE OF PUBLIC HEARING ON BILL NO. G-94-09-13

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, November 15, 1994, at 5:30 P.M., in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

The south 6 inches of the East/West alley north of
Pennsylvania Street and east of Warren Street
To clear an encroachment

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy
City Clerk

From the desk of:

Pat Biancaniello

D Timothy Lawson
9915 Spur Creek Ct
City 25

471-5281

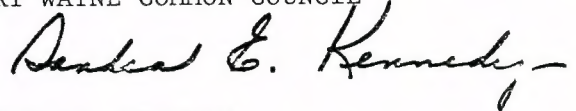
FORT WAYNE COMMON COUNCIL
NOTICE OF PUBLIC HEARING
BILL NO. G-94-09-13

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, NOVEMBER 15, 1994, AT 5:30 P.M. (E.S.T.) IN THE COMMON COUNCIL CONFERENCE ROOM 128, CITY -COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH SIX (6) INCHES OF THE 12 FOOT ALLEY NORTH OF LOTS
#152, 153 and 154 IN VORDERNMARKS' ADDITION, ACCORDING TO THE
PLAT THEREOF AS INDICATED IN DEED RECORD 99, PAGES 450-451

ALL INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD.

FORT WAYNE COMMON COUNCIL

A handwritten signature in black ink, appearing to read "Sandra E. Kennedy", with a long horizontal flourish extending to the right.

SANDRA E. KENNEDY
CITY CLERK

FORT WAYNE COMMON COUNCIL
(Governmental Unit)To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, INALLEN County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

23 lines, 1 columns wide equals 23 equivalent lines
at .33 cents per line\$ 7.59Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 8.59

DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: OCT 27, 19 94Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

FORT WAYNE COMMON COUNCIL
NOTICE OF PUBLIC HEARING
BILL NO. G-94-09-13
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The South six (6) inches of the 12 foot alley north of lots #152, 153 and 154 in Vordernmark's Addition, according to the plat thereof as indicated in deed record 99, pages 450-451.
All interested parties are invited to appear and be heard.

FORT WAYNE COMMON COUNCIL
SANDRA E. KENNEDY
CITY CLERK
#725430

10-27

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHYANS who, being duly sworn, says that he/ she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time 10-27-94, the dates of publication being as follows:

Subscribed and sworn to before me this 27th day of OCT, 19 94.

My commission expires: MARY L ADKISON
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14, 1997

FW COMMON COUNCIL
(Governmental Unit)To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

ALLEN County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

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at .33 cents per line

\$ 7.59

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(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 8.59

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Julie L. Rohyans

Date: OCT 27, 19 94

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L. ROHYANS who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

10-27-94

Julie L. Rohyans

Subscribed and sworn to before me this 27th day of OCT, 19 94.

Mary L. Adkison
Notary PublicMy commission expires: MARY L. ADKISON
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14, 1997

FORT WAYNE COMMON COUNCIL
NOTICE OF PUBLIC HEARING
BILL NO. G-94-09-13
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The South six (6) inches of the 12 foot alley north of lots #152, 153 and 154 in Vordermark's Addition, according to the plat thereof as indicated in deed record 99, pages 450-451
All interested parties are invited to appear and be heard.
FORT WAYNE COMMON COUNCIL
SANDRA E. KENNEDY
CITY CLERK
#725430